

#123

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of  
**HAIR *et al.***

Atty. Dkt.: 2543-0338

Appln. No: 09/729,853

Examiner: Lester, E.

Filing Date: March 3, 1999

Group Art Unit: 2873

Title: OPTICAL VEND-SENSING SYSTEM  
FOR CONTROL OF VENDING MACHINE

Date: May 3, 2004

LETTER

Commissioner of Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

**RECEIVED**  
MAY - 6 2004  
**OFFICE OF PETITIONS**

Sir:

In considering the Notice of Allowance of April 6, 2004, it has come to the attention of the undersigned that Applicant may recently no longer qualify for small entity status for this application. Although it is uncertain that Applicant no longer qualifies for small entity status, the Issue Fee is being paid at the large entity rate. Further, out of an abundance of caution, submitted herewith is an additional payment of \$860 so that the extension fee paid on February 9, 2004 at the small entity rate of \$475 and the RCE fee paid on February 13, 2004 at the small entity rate of \$385 have now both been paid at large entity rates. There was no deceptive intent in paying those two fees at the small entity rate.

Adjustment date: 05/06/2004 SLUANG1  
02/19/2004 RGRADEN 00000001 501860 09729853  
01 FC:2801 385.00 CR

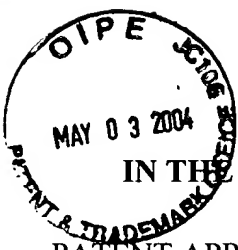
Adjustment date: 05/06/2004 SLUANG1  
03/03/2003 SSESHE1 00000075 09729853  
01 FC:2253 -465.00 OP

Respectfully submitted,

Timothy J. Klima  
Reg. No. 34,852

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05/06/2004 SLUANG1 00000001 501860 09729853  
01 FC:1253 950.00 OP  
02 FC:1801 395.00 DA 375.00 OP



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF:

HAIR, James et al.

Appln. No.: 09/729,853

Filing Date: December 6, 2000

Title: **OPTICAL VEND-SENSING SYSTEM FOR  
CONTROL OF VENDING MACHINE**

Atty. Dkt. No.: 2543-0338

Art Unit: 2873

Examiner: Lester, E.

Date: May 3, 2004

TRANSMITTAL

Hon. Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

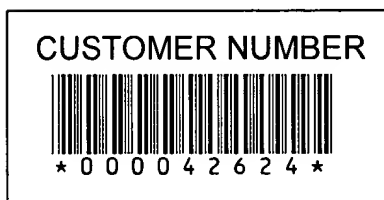
Sir:

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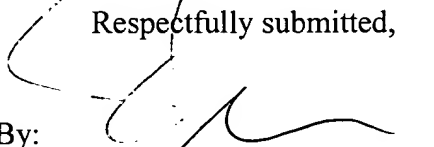
Attached please find the following documents, submitted for filing in connection with the above-identified application:

- ☒ **Change of Attorney's Address in Application**
- ☒ Letter to PTO
- ☒ Issue Fee Transmittal Form PTOL-85
- ☒ Check #1366 in the amount of \$2508.00

The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 501860. A duplicate of this sheet is attached.



Davidson Berquist Klima & Jackson LLP  
4501 N. Fairfax Drive; Suite 920  
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FAX: (703) 248-9558

Respectfully submitted,  
  
By:   
**Timothy J. Klima**  
Registration No.: 34,852

## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
or Fax (703) 746-4000

MAY 03 2004

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notification.

CURRENT CORRESPONDENCE ADDRESS (Do not mark up with any corrections or use Block 1)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

7590 04/06/2004  
TIMOTHY J. KLIMA  
ONE MASSACHUSETTS AVENUE NW  
SUITE 330  
WASHINGTON, DC 20001

RECEIVED  
MAY - 6 2004  
OFFICE OF PETITIONS

Certificate of Mailing or Transmission  
I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

(Depositor's name)  
(Signature)  
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/729,853	12/06/2000	James M. Hair III	PM 0271810	7885

TITLE OF INVENTION: OPTICAL VENDOR-SENSING SYSTEM FOR CONTROL OF VENDING MACHINE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	<del>800</del> \$1330.00	\$300	<del>300</del> \$1630.00	07/06/2004
EXAMINER	ART UNIT	CLASS-SUBCLASS			
LESTER, EVELYN A	2873	250-223000			

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Davidson Berquist  
2 Klima & Jackson, LLP  
3

## 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Automated Merchandising Systems, Inc.

Kearneysville, West Virginia

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ individual ☒ corporation or other private group entity ☐ government

## 4a. The following fee(s) are enclosed:

☒ Issue Fee☒ Publication Fee☒ Advance Order - # of Copies 10

## 4b. Payment of Fee(s):

☒ A check in the amount of the fee(s) is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.☒ The Director is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account Number 501860 (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature) Timothy J. Klima 3/15/04 (Date) May 3, 2004

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant, a registered attorney or agent, or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

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TRANSMIT THIS FORM WITH FEE(S)

PTOL-85 (Rev. 11/03) Approved for use through 04/01/2004.

OMB 0651-0033

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

05/05/2004 WABRHAM2 00000191 09729853

01 FC:1501 1330.00 OP  
02 FC:1504 300.00 OP  
02 FC:8001 18.00 OP